

# **EXHIBIT 7**

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## After decade marred by addiction, state officials mapping out road to recovery from opioid epidemic

By Taylor Stuck The Herald-Dispatch

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Rohrbach

The past decade ushered in a new era of drug use and addiction in West Virginia.

Following a drop in overdose deaths in 2009, West Virginia started the decade with more than 400 opioid-related overdose deaths, according to the National Institute on Drug Abuse. Other than a slight dip from 2011 to 2012, overdose deaths have been increasing in the Mountain State ever since.

West Virginia has not sat idly while the death toll of opioids and substance use disorder rises. Led by the action of cities like Huntington that have developed innovative solutions to the problem, the past decade has seen more policy, funding and programming aimed at relieving a situation that impacts all areas of the state.

"We've done a lot, but we have a lot left to do," said Dr. Matt Rohrbach, R-Cabell, majority chair of the House of Delegates Committee for the Treatment and Prevention of Substance Abuse.

Rohrbach is coming into a new legislative session, and subsequently a new decade, armed with legislation he hopes will further impact the addiction crisis facing West Virginia. Paired with the state Office of Drug Control Policy's Substance Use Response Plan, which should be finalized by the Department of Health and Human Resources in January, the state has a plan that officials hope will make the next decade about recovery.

## 2020 legislation

As leader of the only legislative committee dedicated solely to substance use, Rohrbach, a doctor at HIMG, said the first bill to come out of his committee will be to mandate any funds secured by the state attorney general in opioid litigation be given to the Legislature for allocation. He said he strongly believes it is the proper thing to do.

"[It could be earmarked for] treatment measures, preventative measures – I'm not going to say it all needs to go to treatment, but that money needs to come back to the Legislature to be allocated to help ease the suffering of this problem," Rohrbach said. "That's where we are getting the money, that's what it needs to go to."

The state has received about \$84 million through settlements with companies in lawsuits stemming from the national opioid crisis, according to Attorney General Patrick Morrisey's office. Most recently, Morrisey reached a \$37 million settlement with the drug distributor McKesson in a lawsuit accusing the company of shipping millions of suspicious painkiller orders to the state as it was being ravaged by the opioid epidemic. The settlement was criticized by local lawyers and Sen. Joe Manchin, D-W.Va., as not being enough.

After \$4.85 million in attorneys' fees is taken out, the money is being split three ways – among the Attorney General's Office, the Department of Health and Human Resources, and the Department of Military Affairs and Public Safety.

In August, Rohrbach was joined by a bipartisan group of delegates in writing a letter to Morrisey asking him to hold onto his portion of the settlement long enough to allow legislators to use the money to combat the substance abuse epidemic in West Virginia.

Morrisey also has signed a tentative agreement with Purdue Pharma – the maker of OxyContin – which would divide about \$12 billion among creditors once the company files bankruptcy.

A portion of a 2017 settlement with drug wholesalers Cardinal Health and AmerisourceBergen was placed in the Ryan Brown Addiction Prevention and Recovery fund. Thanks to that funding and additional allocations, the state has been able to expand treatment beds to 1,000.

That fund is now depleted, however, despite efforts last session to allocate future settlement funds there.

Rohrbach said he would like to consider expanding the fund's reach to allow funding for recovery beds. Treatment beds have some sort of medical component to them, and therefore may be eligible for insurance reimbursement; recovery beds do not.

He also wants to establish funding to start new neonatal abstinence syndrome facilities, like Lily's Place in Huntington. NAS is a collection of symptoms babies experience after being exposed to addictive substances in the womb. He and counsel are still working out whether it would be best to add this to the Ryan Brown fund or create a new fund.

"There are places around the state that want to open up NAS facilities and we need some – right now the only one we have is in Huntington," Rohrbach said. "We need a few more around the state, but if we don't put a little start-up, seed money, they are going to be difficult to get started."

As treatment and recovery centers continue to grow to meet demand, Rohrbach said he also wants to know their results. Another piece of legislation would require recovery centers to report results once a year.

"How are you doing? If one center is doing three times better than another center, I think that's something the state would like to know so we can either help the one that's lagging get brought up to speed or send more patients to the successful," he said.

He also wants to create new avenues to treatment. Rohrbach, who was part of an opioid fellowship this year, is working with officials in Kentucky on a program called the "angel initiative." The program allows anyone in Kentucky who is struggling with addiction to come to any Kentucky State Police detachment and the police will help them find treatment, taking custody of any illegal substance or paraphernalia without consequence.

According the Kentucky State Police website, the initiative has helped 187 people since it started in 2016.

Rohrbach is also working on a bill to require law enforcement to enter data into the prescription drug monitoring program, such as illegal use, opioid-related overdoses and reports of stolen prescriptions.

"You are going to get a better system if you got more people putting it in," he said.

He also anticipates legislation to expand more treatment to rural areas.

"We've got plans to keep moving forward and take care of this addiction problem because it is literally wreaking havoc on our communities," Rohrbach said. "We just don't have a choice."

## Response plan

As Rohrbach works to pass legislation, the state Office of Drug Control Policy will begin implementing the state substance use response plan.

Brian Gallagher, chairman of the Governor's Council on Substance Abuse Prevention and Treatment, presented the draft of the plan to legislators in November.

The plan focuses on seven areas: prompt access to treatment; options for treatment; measure and track prevention, treatment and recovery outcomes; promote evidence-based prevention in schools and communities; monitor ongoing initiatives; connecting the prison population with a substance use disorder to services and help; and supporting employment for those in recovery.

Goals were derived from the areas of emphasis and strategies were developed to accomplish each goal. Some goals, like increasing recovery house capacity, have multiple strategies. The recovery house goal has seven.

The goals and strategies were prioritized with help from the public. The council had six public forums in different regions of the state.

Gallagher said once the plan is finalized, the council will begin meeting with agencies and stakeholders to implement the plan. The plan should be uploaded to the ODCP website once it is finalized.

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